

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

July 25, 2008

Board of Land  
and Natural Resources  
Lihue, Kauai

Request for Approval of a Special Activity Permit for Dr. Jo-Ann Leong, Director of the Hawaii Institute of Marine Biology, and Designated Assistants to Conduct Various Scientific Research Activities in Certain State Marine Waters

Submitted herewith for your consideration and approval is a Special Activity Permit as authorized in Section 187A-6, Hawaii Revised Statutes (HRS). Section 187A-6 provides that the Department may issue permits no longer than one year (from date of issue) to any person to take aquatic life, possess or use fishing gear, or engage in any feeding, watching, or other such non-consumptive activity related to aquatic resources otherwise prohibited by law for scientific, educational, management, or propagation purposes, subject also to Chapter 195D and any other restrictions the Department deems desirable.

Such permits are usually sought by University researchers and their students, professional biologists, consultants, aquariums, or public and private school teachers to either collect aquatic life otherwise considered unlawful, or to use gear otherwise considered unlawful, primarily for the purposes of study or education. Dr. Leong and the Hawaii Institute of Marine Biology designated assistants propose to conduct scientific research and educational activities involving the take of stony corals and other marine life species that primarily occur within the boundaries of the Hawaii marine laboratory refuge (as identified in 188-36, HRS), in and around Kaneohe Bay, and other locations within the State.

The Division of Aquatic Resources has reviewed the application for impact and made recommendations to conserve resources as well as to minimize impacts to those resources. Among other permit provisions, the Division will require an annual report at the end of the permit period to document the efforts of the collections or activities. This permit does not authorize any work in the Northwestern Hawaiian Islands.

RECOMMENDATION:

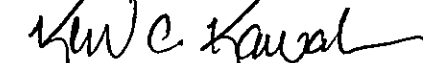
"That the Board approve a Special Activity Permit for Dr. Jo-Ann Leong, Director of the Hawaii Institute of Marine Biology, and Designated Assistants to Conduct Various Scientific Research Activities in Certain State Marine Waters."

Respectfully submitted,



DAN POLHEMUS  
Administrator

APPROVED FOR SUBMITTAL:



for LAURA H. THIELEN  
Chairperson

State of Hawaii  
 Department of Land & Natural Resources  
 DIVISION OF AQUATIC RESOURCES  
 Punchbowl Street, Room 330  
 Honolulu, Hawaii 96813

Special  
 Activity Permit No. 2008-99

Date of Issue:

Expiration Date: 06/30/09

### SPECIAL ACTIVITY PERMIT

The Board of Land and Natural Resources hereby grants permission for certain collection of organisms belonging to the people of Hawaii, under Section 187A-6, Hawaii Revised Statutes, and other applicable laws.

The permittee is

Name: Dr. Jo-Ann C. Leong

Title: Director

Affiliation: Hawaii Institute of Marine Biology  
 University of Hawaii at Manoa

Address: P. O. Box 1346  
 Kaneohe, Hawaii 96744

Under the attached conditions, and for the purpose of scientific research this permit authorizes the permittee (and any assistants designated on the SIGNATURE AND ACKNOWLEDGEMENT page of this permit) to

**TAKE                  CATCH                  POSSESS                  TRANSPORT                  KILL**

aquatic life from the waters of the State as follows:

Common Name	Scientific Name	Maximum No. of Specimens	Collecting Location
Various numbers of marine, estuarine and freshwater fishes and invertebrates as listed on Attachment No. 2.		as required	State waters, except as prohibited in Special Conditions section, of this permit.
Hard Corals	Various species	as required	Sites around Coconut Island within Kaneohe Bay

I. GENERAL CONDITIONS:

A. This permit does not make the Board of Land and Natural Resources or the State of Hawaii liable in any way for any claim of personal injury or property damage to the permittee or assistants which may occur during collection activity authorized by this permit; moreover, the permittee and all assistants agree to hold the State harmless against any and all claims of personal injury, death or property damage resulting from activities of the permittee or any assistant.

B. This permit conveys a privilege to engage in only those activities under the jurisdiction of the Division of Aquatic Resources. The permittee is responsible for complying with all applicable County, State, and Federal requirements. The permit does not convey any privilege of access over or through private property.

C. The permittee and each assistant are individually responsible and accountable for their actions while conducting activities authorized under this permit; additionally, the permittee is responsible and accountable for the actions of the permittee's assistants.

D. This permit is not transferable or assignable. Any person whose name does not appear on this permit and is conducting any activity described herein is subject to prosecution for violation of State laws.

E. The permittee may request changes to the permit. Any such request to make changes to the permit must be made in writing and received by the DAR at least two weeks prior to the change. All personnel changes will require each individual to sign an "Attachment" stating that they have read, understood, and agree to abide by all general and special permit conditions. No change may be implemented without written approval from the Department/DAR.

F. The permittee may request to:

1. Add assistants to the permit by having each assistant sign an "Attachment" and send the document to DAR;
2. Add another permittee or be replaced by another permittee in the manner stated above; and
3. Change the activities allowed under this permit.

G. A copy of this permit must be carried by the permittee or assistant while performing collecting activities authorized by this permit.

H. This permit authorizes collection of organisms protected by Federal law only with prior appropriate Federal authority, which must be described on Page 1 of this permit (if applicable).

I. The permit is not to be used for nor does it authorize the sale of collected organisms

J. This permit expires on the date indicated on Page 1. Within one month of the expiration date, the permittee must return this permit to the Division of Aquatic Resources with complete information on all collecting done under this permit, on the Activity Report form provided as part of this permit.

K. The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the Division of Aquatic Resources, and to provide to the Division a copy of each report, published for distribution, prepared with data obtained under this permit. The permittee agrees to provide the Division of Aquatic Resources access to organisms obtained and held under this permit for on-site inspection.

L. A violation of any terms or condition of this permit or any violation of State law not covered by this permit may result in revocation of the permit. The permittee may consider any such violation as grounds for denying any future permit applications.

M. The permittee will notify the Division of Aquatic Resources prior to the release and/or transfer of any organisms collected under the permit. The permittee will not release any organisms collected under this permit nor any organisms raised in a propagation facility under the authority of this permit, without the Division of Aquatic Resources' written approval.

## II. SPECIAL CONDITIONS

1. This Permit authorizes the possession of small mesh throw nets. Other nets, hands, and traps may be used to capture lobsters in the waters of the State except no aquatic life may be taken at the following Marine Life Conservation Districts (MLCDs), Shoreline Fisheries Management Areas (SFMA), Marine Life Refuge (MLRs), Public Fishing Areas (PFAs), Natural Area Reserves (NARs), Fishery Management Areas (FMAs) and other prohibited locations or areas that may be designated as such during the effective period of this permit.

-----OAHU-----  
 Hanauma Bay MLCD  
 Pupukea MLCD  
 Waikiki MLCD  
 Heeia Kea Wharf FMA  
 Waialua Bay FMA  
 Pokai Bay FMA  
 Honolulu Harbor FMA  
 Ala Wai Canal FMA  
 Kapalama Canal FMA  
 Wahiawa PFA  
 Diamond Head SFMA  
 Nuuanu Freshwater  
     Fish Refuge  
 Haleiwa Harbor FMA  
 Paiko Lagoon Wildlife  
     Refuge

-----HAWAII-----  
 Kailua Bay FMA  
 Waiakea PFA  
 Wailea Bay MLCD  
 Lapakahi Bay MLCD  
 Kealahou Bay MLCD  
 Hilo Bay FMA  
 Wailoa River FMA  
 Wailuku River FMA  
 Puako Bay & Reef FMA  
 Kawaihae Harbor FMA  
 Old Kona Airport MLCD  
 West Hawaii Regional  
 Fishery Management  
     Area

-----MAUI-----  
 Kahului Harbor FMA  
 Honolulu-Mokuleia Bay MLCD  
 Molokini Shoal MLCD  
 Ahihi-Kinau NAR  
  
 -----KAUAI-----  
 Waimea Recreation Pier &  
 Waimea Bay FMA  
 Kapaa Canal FMA  
 Waikanae Canal FMA  
 Kokee PFA  
 Ahukini Recreational  
     Pier FMA  
 Hanalei Bay FMA

-----LANAI-----  
 Manele-Hulopoe MLCD  
 Manele Harbor FMA

-----MOLOKAI-----  
 Kaula Harbor FMA

Discretion should be used to avoid conflict with fishermen or others during collecting activities at any location.

2. The use of any chemical substance is expressly prohibited under this permit. The primary permittee and designated assistants, however, may have in possession a reasonable amount of preservatives such as formalin or alcohol for preserving the specimens collected.
3. The primary permittee and designated assistants are required to obtain permission before entering upon lands or waters not under the jurisdiction of the Division of Aquatic Resources (see "B", General Conditions, page 2 of this permit).
4. This permit does not by implication authorize the primary permittee or any designated assistant to engage in any other activity if in violation of any other State, Federal or County law, regulation or ordinance.

5. The primary permittee or a designated assistant responsible for the field collecting activity shall notify the Division of Conservation and Resources Enforcement at least 48 hours in advance of any field collecting activity and provide such information as: location; date; time; and number of persons to be involved. Telephone - Honolulu 587-0077; Hawaii 933-4291; Maui 243-5414; Kauai 241-3444; Molokai 567-6618 or Lanai 565-6688.

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LAURA H. THIELEN, Chairperson and member  
Board of Land and Natural Resources

cc: (x) DOCARE  
(x) Special Agent in Charge,  
USFWS, Honolulu

SPECIAL  
ACTIVITY Permit No. 2008-99

## REPORT OF COLLECTING AND OTHER ACTIVITIES

Results of all activities performed under authority of this permit must be reported on this form (or copies) within one month after the permit expires (see first page). Use as many sheets as you need. Submit the report to the Division of Aquatic Resources at 1151 Punchbowl Street, Room 330, Honolulu, HI 96813.

Date	Location	Common or Scientific Name	Quantity Collected*	Disposition of Specimens
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\_\_\_\_\_  
Signature of Permittee

Date \_\_\_\_\_

\*If salvaged (collected because the specimen was dead or injured already), please detail circumstances: condition (dead, or describe extent of injury), how or from whom the specimen was obtained.

SIGNATURE AND ACKNOWLEDGEMENT

By my signature below, I attest that I understand the general conditions (Items A through M on Page 2 & 3) and any special conditions (Nos. 1-2-3-4-5 on page 4) to Special Activity Permit No. 2008-99. Further, I agree to abide by all of these conditions when collecting under authority of this permit.

PRINCIPAL PERMITTEE: Jo Ann Leong  
JO-ANN C. LEONG

DESIGNATED ASSISTANTS:

Signature: Jeff Eble

Print Name: Jeff Eble

Signature: Greg Concepcion

Print Name: Greg Concepcion

Signature: Ichito Misumi

Print Name: Ichito Misumi

Signature: Megan Donahue

Print Name: Megan Donahue

Signature: Lori Davis

Print Name: Lori Davis

Signature: Yannis Papastamatiou

Print Name: Yannis Papastamatiou

Signature: Judith Lemus

Print Name: Judith Lemus

Signature: Chris Bird

Print Name: Chris Bird

Signature: Jennifer M. Kishimori

Print Name: JENNIFER M. KISHIMORI

Signature: Kuilei Rodgers

Print Name: Kuilei Rodgers

Signature: Evelyn F. Cox

Print Name: EVELYN F. COX

Signature: Daniel J Barshes

Print Name: Daniel J Barshes

Signature: Florence I.M. Thomas

Print Name: Florence I.M. Thomas

Signature: Kyle Aveni-DeForge

Print Name: Kyle Aveni-DeForge



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PRINCIPAL PERMITTEE: Jo Ann Leong  
JO-ANN C. LEONG

DESIGNATED ASSISTANTS:

Signature: Jason P. Breves

Print: Jason P. Breves

Signature: Michael Rappe

Print Name: MICHAEL RAPPE

Signature: FREDERICK FARIZZI

Print Name: Frederick Farizzi

Signature: Halia Rivera

Print Name: HALIA RIVERA

Signature: Frederique Kandel

Print Name: Frederique Kandel

Signature: Karen Brittain

Print Name: Karen Brittain

Signature: Matthew Craig

Print Name: Matthew Craig

Signature: Michael C. Castrence

Print Name: Michael C. Castrence

Signature: MARVIN ATKINSON

Print Name: MARVIN ATKINSON

Signature: Jacqueline Padilla Gamino

Print Name: Jacqueline Padilla Gamino

Signature: Derek Skillings

Print Name: Derek Skillings

Signature: Matthew Tacchei

Print Name: Matthew Tacchei

Signature: Rob Toonen

Print Name: Rob Toonen

Signature: Brian Bowen

Print Name: BRIAN BOWEN

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PRINCIPAL PERMITTEE: Jo Ann Leong  
JO-ANN C. LEONG

DESIGNATED ASSISTANTS:

Signature: Michael Stat  
Print: MICHAEL STAT

Signature: Loren Scott Godwin  
Print Name: Loren Scott Godwin

Signature: Stephen A. Karl  
Print Name: Stephen A. Karl

Signature: Teresa D Lewis  
Print Name: Teresa D Lewis

Signature: Erik C Franklin  
Print Name: ERIC C. FRANKLIN

Signature: Ashley Smith  
Print Name: Ashley Smith

Signature: Derek Smith  
Print Name: DEREK SMITH

Signature: Jane H. Ball  
Print Name: Jane H. Ball

Signature: Darin Hayakawa  
Print Name: Darin Hayakawa

Signature: Ruth Gates  
Print Name: RUTH GATES

Signature: Ann Farrell  
Print Name: ANN FARRELL

Signature: Toby Daly-Engel  
Print Name: Toby Daly-Engel

Signature: Kai Fox  
Print Name: KAI FOX

Signature: Xavier Pochon  
Print Name: XAVIER POCHON

SPECIAL  
ACTIVITY Permit No. 2008-99

SIGNATURE AND ACKNOWLEDGEMENT

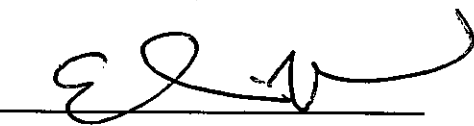
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PRINCIPAL PERMITTEE:

  
JO-ANN C. LEONG

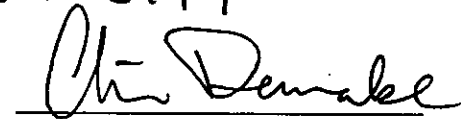
DESIGNATED ASSISTANTS:

Signature:



Print: ELI WITT

Signature:



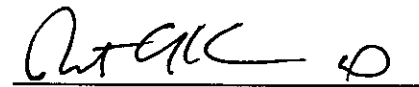
Print Name: Chris Demarke

Signature:



Print Name: SHERRIL LEON SOON

Signature:



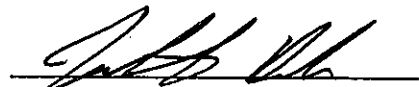
Print Name: Robert Kinzie

Signature:



Print Name: TETSUYA HIRANO

Signature:



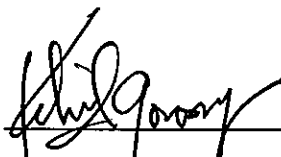
Print Name: JONATHAN DALE

Signature:



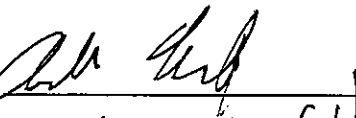
Print Name: METIAN MARC

Signature:



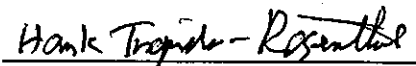
Print Name: KELVIN D. GOROSPE

Signature:



Print Name: Anderson Myfield

Signature:



Print Name: Hank Trapido-Rosenthal

Signature:



Print Name: Mackenzie Marsh

Signature:



Print Name: HEDWIN Loehia

Signature:



Print Name: Kuntai Rodgers

Signature:

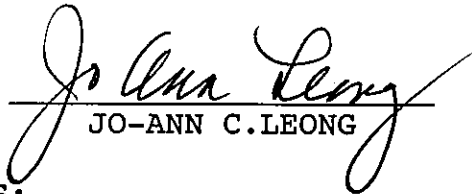


Print Name: Daniel Schar

SIGNATURE AND ACKNOWLEDGEMENT

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PRINCIPAL PERMITTEE:

  
JO-ANN C. LEONG

DESIGNATED ASSISTANTS:

Signature: Mary Hagedorn

Print: Mary Hagedorn

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Virginia Carter

Print Name: Virginia Carter

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Greta S. Acby

Print Name: Greta S. Acby

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Paul L. Joriel

Print Name: Paul L. Joriel

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Megan Ross

Print Name: Megan Ross

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: John Stinson

Print Name: John Stinson

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

PRINCIPAL PERMITTEE: JO-ANN C. LEONG

NAMES AND NUMBERS OF SPECIMENS TO BE COLLECTED

gold spot herring	500
nehu	10,000
iao	500
makiawa	100
omaka	500
tilapia	10,000
puhis	120
ahi	300
mahimahi	100
aku	200
parrotfishes	400
damselfish	400
damselfish eggs	3,000
spotted tobies	100
marlin	10
taape	300
weke	50
hinalea	1,000
kupipi	100
maomao	100
gobies	300
manini	200
milkfish (juveniles)	1,000
angelfishes	200
butterflyfishes	200
goatfishes	500
filefish	100
sea cucumbers	100
corals	1,000
Gen. invertebrates	1,000
dead coral rubble	1,000 pcs
haole crab	100

shrimp (opae lolo)	5,000
(juv. & adults)	
mullet (juv. & adults)	1,000
lobster	25
slipper lobster	25
Mollies	200
Gindai	100
Sandbar Sharks	100
Butagushi	20
Hapu'upu'u	20
Grouper (roi)	200
Triggerfish	200
Jack	200
Eagle Ray	200
Moray eel	300
Shortspine Dogfish	100
opelu	100
ahule	100
awa	50
moorish idols	75
(zanclus cornutus)	
octopus	50
wrasse	200
papio/ulua	400
chinese catfish	100
snakeheads	100
hammerhead sharks	50
toau	25
starfish (Asteroidia)	300
o'opuu, adults, eggs & larvae	200
freshwater turtles	100
paopao	200
<u>Hippa pacifia</u>	300
<u>Schindleria</u> spp.	as required
<u>Euprymna</u>	100
Scorpionfishes	300

ATTACHMENT NO. 2 to Special Activity Permit No. 2008-99  
Page 3.

Blennies	300
Sand divers	500
Hawk fishes	300
Cardinal fishes	300
Tiger sharks	50
Channel catfish	500
Limu (various)	As required
Onaga	500
Ehu	500
Opakapaka	500
Kalikali	500
Surgeonfishes	500
Brown Stingrays	25
White tip reef sharks	30
Swordtails	100
Weke Ula	20
Hage	20
Kahala	20
Hawaiian Bigeye	100
Flounder	200
Squirelfish	200
Barracuda	200
Ono	100
moi	1,000
kole	400
Urchins	100
fresh water ornamental fish	500